

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Baumann et al.

Document No.: 206.00300102

Title: DECK ASSEMBLY FOR A SELF-PROPELLED, WALK-BEHIND ROTARY LAWN MOWER

Commissioner for Patents

Mail Stop PATENT APPLICATION

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

☒ UTILITY PATENT APPLICATION including:

☒ Specification (24 consecutively numbered pgs, including 33 claims on 6 Consecutively numbered pgs and a 1 pg Abstract);

☒ Drawings (11 sheets);

☒ A signed Declaration as filed in the prior application (4 pgs).

☒ A signed Election under 37 C.F.R. § 3.71, Revocation, Power of Attorney, and Certificate under § 3.73(b) (including copy of Assignment) as filed in the prior application. (5 pgs.)

☒ Application Data Sheet (2 pgs).

☒ An itemized return postcard.

☒ Preliminary Amendment (9 pgs.)

☒ Request for filing a Divisional Patent Application under Rule 1.53(b) (3 pgs.)

☒ Please charge Deposit Account No. 13-4895 in the amount of \$878.00 to pay the filing fee, which is calculated below:

APPLICATION FILING FEE					
	Number of Pending Claims (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required
Total Claims	26	- 20 =	6	x \$18 =	\$108
Independent Claims	3	- 3 =	0	x \$86 =	\$0
One or More Multiple Dependent Claims Presented? If Yes, Enter \$290 Here →					\$0
Enter Basic Filing Fee (Utility Patent-\$770) Here →					\$770
Total Application Filing Fee					\$878

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: Matthew W. Adams
 Name: Matthew W. Adams
 Reg. No.: 43,459
 Direct Dial: 612-305-1227
 Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 201890290 US Date of Deposit: March 11, 2004

I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Sara E. Olson
 Name: Sara E. OLSON

(LARGE ENTITY TRANSMITTAL UNDER RULE 1.10)

17510 U.S. PTO
 10/798616
 031104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket Number	Anticipated Classification		Prior Application	
206.00300102	Class	Subclass	Examiner Arpad Kovacs	Art Unit 3671

REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION
UNDER RULE 1.53(b)

Commissioner for Patents
Mail Stop PATENT APPLICATION
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of Serial No. 10/109,804, Confirmation No. 4044, filed on March 28, 2002, entitled DECK ASSEMBLY FOR A SELF-PROPELLED, WALK-BEHIND ROTARY LAWN MOWER by the following inventors (name, address, and citizenship):

- | | |
|---|--|
| 1. James R. Baumann
4035 Yosemite Avenue South
St. Louis Park, MN 55416
Citizenship: USA | 2. Chadwick A. Shaffer
1888 Heron Avenue North
Oakdale, MN 55128
Citizenship: USA |
| 3. Chris A. Wadzinski
7834 Alberta Way West
Inver Grove Heights, MN 55077
Citizenship: USA | |

1. X Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2. Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference. No new matter has been added.
3. X Enclosed is a copy of the Declaration as filed in the prior application.
4. X Enclosed is a copy of the Election under 37 C.F.R. § 3.71, Revocation, Power of Attorney, and Certificate under § 3.73(b) (including copy of Assignment) as filed in the prior application.
5. X Enclosed are drawings as filed in the prior application (11 sheets).

Filed: Herewith

Title: DECK ASSEMBLY FOR A SELF-PROPELLED, WALK-BEHIND ROTARY LAWN MOWER

6. X Before calculating the filing fee, cancel in this application claims 1-5, 32, and 33, as described in the attached Preliminary Amendment. (At least one independent claim must be retained for filing purposes.)
7. X A preliminary amendment is enclosed.
8. X The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770
Total Claims 26-20 =	6	\$18	\$108
Independent Claims 3-3 =	0	\$86	\$0
MULTIPLE DEPENDENT CLAIM PRESENTED		\$290	\$0
FILING FEE:			\$878

9. X Please charge Deposit Account No. 13-4895 in the amount of \$878.00.
10. X The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11. This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
12. Priority of foreign application Serial No. , filed on in (country) is claimed under 35 U.S.C. §119.
13. X The prior application is assigned of record to The Toro Company.
14. X The Power of Attorney in the prior application is to:

Matthew W. Adams
 Mueting, Raasch & Gebhardt, P.A.
 P.O. Box 581415
 Minneapolis, MN 55458-1415
Customer Number 26813

Filed: Herewith

Title: DECK ASSEMBLY FOR A SELF-PROPELLED, WALK-BEHIND ROTARY LAWN MOWER

15. X Application Data Sheet.

Address all future communications to:

MUETING, RAASCH & GEBHARDT, P.A.
P.O. Box 581415
Minneapolis, Minnesota 55458-1415
Customer Number 26813

Attn: Matthew W. Adams
(Telephone: 612-305-1220)
(Facsimile: 612-305-1228)

Date: 11 March 2004

Matthew W. Adams

Matthew W. Adams
Reg. No. 43,459
Direct Dial (612)305-1227

"Express Mail" mailing label number : EV 201890290 US

Date of Deposit March 11, 2004

I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop PATENT APPLICATION, P.O. Box 1450, Alexandria, VA 22313-1450.

Sam E. Olson
Name: Sam E. Olson